

REGULAR MEETING - CITY COUNCIL - CITY OF NEWTON

MARCH 17, 2004

The City Council of the City of Newton held a regular meeting at 7:30 PM on Wednesday, March 17, 2004 at City Hall with the following present: Mayor Robert Mullinax, Council Members Wayne Dellinger, Al Gaither, Tom Dixon, Tom Rowe, Anne Stedman, Roy Johnson, City Manager Edward Burchins, City Attorney Larry Pitts, Assistant City Manager Glenn Pattishall and City Clerk Rita Williams.

ITEM 1 - CALL TO ORDER.

Mayor Mullinax called the meeting to order and welcomed citizens in the audience.

ITEM 2 - OPENING.

Council Member Dellinger led the Pledge of Allegiance.

ITEM 3 - APPROVAL OF MINUTES OF THE MARCH 2, 2004 WORK SESSION AND MARCH 2, 2004 REGULAR MEETING.

A motion was made by Council Member Gaither, seconded by Mayor Pro Tem Rowe, and unanimously adopted that the minutes of the March 2, 2004 work session and March 2, 2004 regular meeting be approved as submitted.

PRESENTATION OF PLAQUE FROM ELECTRICITIES TO PUBLIC WORKS AND UTILITIES DIRECTOR MARTY WILSON AND ASSISTANT PUBLIC WORKS AND UTILITIES DIRECTOR DOUG WESSON FOR NEWTON'S PARTICIPATION IN HELPING RESTORE POWER TO EASTERN NORTH CAROLINA DURING HURRICANE ISABEL

Mayor Mullinax recognized Marty Wilson and Doug Wesson for Newton's participation in helping restore power to eastern North Carolina during Hurricane Isabel. He read a letter of appreciation from the City of Kinston thanking Newton for their assistance in helping restore power to their community. He also presented Mr. Wilson with a plaque of appreciation from ElectriCities for the hard work performed by Public Power employees from Newton who traveled to sister cities and towns to assist in the power restoration effort.

Mr. Wilson introduced Mike Kiziah, Harold Preswood, Kenny Bean, Chris Smith, Ira Roberts and Jonathan Greer, all public works employees who actually went to eastern North Carolina to help after Hurricane Isabel. Mr. Wilson thanked them for a job well done and also thanked public works employees who covered for them while they were gone.

ITEM 4 - CONSIDERATION OF APPROVAL OF CONSENT AGENDA ITEMS.

Mayor Mullinax stated that Item G was being moved to New Business for discussion upon the request of Council Member Dixon.

A motion was made by Council Member Johnson, seconded by Mayor Pro Tem Rowe, and unanimously adopted that Items A through F on the Consent Agenda be approved as submitted.

A. Sewer charge adjustments.

Alberto Campos Villegas	\$112.09
Edith Underwood	\$ 52.22

B. Consideration of adoption of budget amendment to recognize grant revenues and provide expenditures in the Fire Department budget. (adopted)

ORDINANCE #2004.17 ATTACHED

C. Consideration of adoption of budget amendment to recognize revenues and provide expenditures for remaining portion of water study contract. (adopted)

ORDINANCE #2004.18 ATTACHED

D. Tax releases.

Year	Rel. #	Name	Reason	Amount
2003	41	Randy A. Herman	Unregistered vehicle tagged and sold	\$ 3.87
2003	42	Glenda L. Isaac	Sold prior to January 1	\$ 8.37
2003	43	Col. Griffin Prince, Jr.	Sold prior to January 1	\$ 4.84
2003	44	Alan Ray Teague	Clerical error, double billed	\$11.74

E. Tax refund.

Year	Ref. #	Name	Reason	Amount
2003	1	Kevin L. Johnson	Prop. valued incorrectly	\$ 8.73

F. Consideration of adoption of budget amendment to recognize a land contribution from Martin, Nancy and Monroe Pannell. (adopted)

ORDINANCE #2004.19 ATTACHED

G. Consideration of municipal agreement with NCDOT for automatic warning devices at the intersection of 13th Street and Norfolk Southern RR tracks.
(Item moved to New Business)

Council Member Dixon, who was late coming to the meeting, took his seat.

ITEM 5 - PUBLIC HEARING - REZONING APPLICATION #2004-01 FILED BY CORPENING/BLACK.

Mayor Mullinax recessed the Council meeting and called to order a public hearing, as previously scheduled and advertised, to consider rezoning application #2004-01 filed by Shawn Corpening and Willard Black.

Assistant City Manager Pattishall reported that Mr. Shawn Corpening and Mr. Willard Black have requested 2.46 acres of property located at the corner of E. 22nd Street and N. Main Avenue be rezoned from M-1 to B-4 to expand the existing New Beginning Child Care facility already located on the site. He reviewed the application at length and stated the Planning Commission and City staff recommended approval of the rezoning.

Mayor Mullinax asked if there was anyone in the audience who wanted to speak for or against the property rezoning and no one appeared to speak. He closed the public hearing and called the Council meeting back into session.

A motion was made by Mayor Pro Tem Rowe, seconded by Council Member Dellinger, and unanimously adopted to rezone the property as requested.

ORDINANCE #2004.20 ATTACHED

ITEM 6 - OLD BUSINESS:

A. Discussion regarding change of time for Council meetings.

Mayor Mullinax stated that at the last meeting, the Council discussed changing the time for Council meetings to begin but took no action on the matter. He asked the Council's feelings on making a change.

A motion was made by Council Member Gaither, seconded by Mayor Pro Tem Rowe, and unanimously adopted to change the time for Council meetings to begin at 7:00 PM instead of 7:30 PM.

ITEM 7 - NEW BUSINESS:

A. Appointments to City Boards and Commissions.

Mayor Mullinax stated that he sent the Council a list of persons he recommended be appointed to City Boards and he has also expanded the number of representatives on the Festival and Events Committee to help with the City's sesquicentennial to be held next year. Mayor Mullinax appointed the following persons to City Boards and Commissions:

APPEARANCE COMMISSION: Reappointed Peggy Seitz and Pat Simmons, appointed Doris White and Marshall Winstead

BOARD OF ADJUSTMENT: Appointed Donny Setzer to be an alternate City member.

FESTIVAL AND EVENTS: Reappointed Kathy Unverfehrt and Rick Setzer. Appointed Ron Webb, Mary Yoder, Ralph Dutcher, Angie Ratcliff and Carol Byington. Council Member Stedman to continue on the Committee as a Board representative.

OFF-STREET PARKING: Appointed Clyde Watters and Gaye Talbert.

NEWTON PLANNING COMMISSION: Appointed Stanford Gabriel

PARKS AND RECREATION COMMISSION: Reappointed Phil Parker and Helen Dutcher, appointed Jeff Carter.

DEPOT AUTHORITY: Reappointed Thomas Reese, Tom Warlick, Ed Nolley and Mayor Pro Tem Rowe (as the Council representative).

B. Discuss and review information regarding formation of a Youth Council and Community Relations Council.

Mayor Mullinax stated that he wanted to establish a Youth Council and Community Relations Council and he asked the Council to review the information contained in tonight's agenda packet on the proposed two Council's for consideration at the next meeting. He said by establishing a Community Relations Council, he wanted to create a dialogue between various nationalities in the City of Newton to help the City and its citizens.

C. Report on NLC meeting.

City Manager Burchins reported that he, Mayor Mullinax and Council Members Gaither, Stedman and Dixon attended the National League of Cities meeting in Washington recently. He said they did a great deal of lobbying for the development of a Western N. C. Power Park to be served with generation and to be located near the #321 By-pass. The City presently has a generation program where it provides standby generators to industries for back-up power. He said they also attended a number of meetings on public safety, transportation, housing, children's issues and Homeland Security as many of these issues affect Newton directly.

Mayor Mullinax stated that it was very important for Newton representatives to attend these meetings.

Consideration of municipal agreement with NCDOT for automatic warning devices at the intersection of 13th Street and Norfolk Southern RR tracks.

City Manager Burchins reviewed a proposed agreement with NCDOT to install warning signalization at the railroad crossing on E. 13th Street. He said DOT will pay \$125,000 to provide the signalization and the City is required to pay \$12,500 in matching funds plus annual maintenance costs. Mr. Burchins said it is the City's discretion to determine if the signalization is needed based on need, number of accidents, etc. especially since only one train crosses that intersection daily. He recommended the City staff contact DOT to have them evaluate all railroad crossings in the City to determine their need and the Council tabled action on the matter until the study is done. The staff will report back to the Council at a later meeting.

ITEM 8 - CITY MANAGER'S REPORT.

City Manager Burchins reminded the Council of the upcoming tour of Sarstedt beginning at 11:00 AM on Friday, March 26th.

Mr. Burchins stated that last year because of the weather, the City's 4th of July celebration was held at the American Legion Fairgrounds. He said it worked very well as far as parking, getting cars in and out of the fairgrounds and having space for

vendors and the fireworks display. He asked the Council what their feelings were about the location of the upcoming celebration and asked whether the Council wanted to charge a nominal fee to help pay for the event or to seek sponsorship. There was Council consensus to try to get sponsorship for the event. Council Member Dixon suggested that due to the proximity of the fairgrounds to Conover and Hickory, perhaps they would consider helping to make the celebration a County event.

Mr. Burchins reminded the Council of the upcoming meetings:

1. NCLM Regional meeting to be held in Hudson on April 20th beginning at 4:00 PM. He requested Council members advise the staff as soon as possible if they planned to attend.
2. Economic Development Forum with The Sanford Holshouser Business Development Group to be held at 9:00 AM at the Recreation Center on Friday, March 26th.
3. Mayor/Manager/elected officials meeting to be held in Morganton on March 25th beginning at 5:45 PM.
4. Air Quality meeting to bring local officials up to date on air quality standards in our area. The meeting will be held on Tuesday, March 23rd at 3:00 at Winkler Park in Hickory.

Mr. Burchins advised the Council that one of the fire trucks would leave Charleston tomorrow at 2:00 PM for Nicaragua.

ITEM 10 - CLOSED SESSION TO DISCUSS LOCATION/EXPANSION OF BUSINESS OR INDUSTRY (G.S. 143-318.11(a).

Mayor Mullinax stated the Council needed to have a Closed Session to discuss location/expansion of business or industry.

A motion was made by Council Member Johnson, seconded by Mayor Pro Tem Rowe, and unanimously adopted to go into Closed Session to discuss location/expansion of business or industry.

After the Closed Session, Mayor Mullinax called the Council meeting back into session and stated no action was to be taken at this time on the matter discussed. There being no further business, the meeting was recessed until 3:00 PM tomorrow (March 18, 2004) in the Gantt Room of City Hall for a Joint Meeting with the Catawba County Commissioners.

Respectfully submitted,

Robert A. Mullinax, Mayor

Rita K. Williams, City Clerk

JOINT MEETING - NEWTON CITY COUNCIL AND CATAWBA COUNTY COMMISSIONERS - GANTT ROOM OF NEWTON CITY HALL - MARCH 18, 2004

The City Council of the City of Newton held a joint meeting with the Catawba County Commissioners at 3:00 PM on Thursday, March 18, 2004 in the Gantt Room at City Hall with the following present:

CITY OF NEWTON:

Mayor Robert Mullinax, Council Members Wayne Dellinger, Al Gaither, Tom Dixon, Tom Rowe, Anne Stedman, Roy Johnson, City Manager Edward Burchins, City Attorney Larry Pitts, Assistant City Manager Glenn Pattishall and City Clerk Rita Williams

CATAWBA COUNTY:

County Commission Chair Kitty Barnes, Commissioners Barbara Beatty, Dan Hunsucker, Lynn Lail, Glenn Barger, County Attorney Robert Eades, County Manager Tom Lundy and County Clerk Thelda Rhoney

Mayor Mullinax called the meeting to order and welcomed people in the audience.

County Commission Chair Kitty Barnes called the Board of Commissioners to order.

EDC Director Scott Millar gave an overview of Z. F. Corporation which is a leading worldwide automotive supplier of driveline and chassis technology. He said the City of Newton, Catawba County and the EDC have been working for quite some time with Z F and that everyone was happy that Z F chose Newton as the site for location of their new plant. He said the company would be located next to Tri Point Global Company in the Danner Industrial Park and plans are for them to open by the spring of 2005. Their total investment over time is an estimated \$30 million and will create approximately 200 jobs.

City Manager Burchins presented the City of Newton's incentive proposal which totaled approximately \$1,256,500.

Mayor Mullinax asked if the Council had any comments. None being received, a motion was made by Council Member Dellinger, seconded by Mayor Pro Tem Rowe, and unanimously adopted to approve the incentive package.

County Commission Chair Kitty Barnes asked Mr. Millar to review the County's incentive proposal. Afterwards, the County Commissioners voted unanimously to accept the County's incentive proposal which included a cash grant of \$499,748 and other funds.

Ms. Barnes thanked the EDC for their hard work in working with Z F representatives to bring the company to our area.

Mayor Mullinax welcomed Z F representatives and stated it was an exciting day for Newton, for the citizens of Newton, Catawba County and western North Carolina and congratulated Z F for locating their facility in Newton. He thanked everyone involved who worked on the project to make it a reality. He said the City of Newton looked forward to a long and profitable relationship with Z F Corporation.

Ms. Barnes also thanked everyone for helping to bring Z F to Newton and Catawba County and said the County has a willing and available workforce to fill the facility.

Mr. Jeff Cline, EDC Chair, welcomed Z F to Newton and Catawba County and thanked the County Commissioners, City Council and EDC staff for making this project happen.

Mr. Millar thanked all involved parties who helped bring Z F to Newton and introduced representatives of Z F Corporation.

Mr. Tom Gorman of Z F Corporation stated they were honored to be a part of our community and gave a target date for completion of their building and stated they hoped to have a grand opening in 2005.

There being no other business, Mayor Mullinax declared the City Council meeting adjourned.

Ms. Barnes declared the County Commissioner's meeting adjourned.

Respectfully submitted,

Robert A. Mullinax, Mayor

Rita K. Williams, City Clerk